

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

FILED

August 02, 2022
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

ROY AUTRY,

Plaintiff,

v.

**AHERN RENTALS, INC, d/b/a
AHERN RENTALS AND
SALES,**

Defendant.

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EP-19-CV-00154-DCG

BY: Greg Duenas
DEPUTY

VERDICT FORM

Question No. 1a:

Has Plaintiff Roy Autry proved that **Curtis Torres** was one of his supervisors, as that term is defined on Page 9 of the Instructions to the Jury?

Answer "Yes" or "No."

Yes

Question No. 1b:

Has Plaintiff Roy Autry proved that he was harassed because of his **race** by **Curtis Torres**?

Answer "Yes" or "No."

Yes

Question No. 1c:

Has Plaintiff Roy Autry proved that he was harassed because of his **national origin** by **Curtis Torres**?

Answer "Yes" or "No."

Yes

Question No. 2a:

Has Plaintiff Roy Autry proved that **Kevin Stock** was one of his supervisors, as that term is defined on Page 9 of the Instructions to the Jury?

Answer "Yes" or "No."

yes

Question No. 2b:

Has Plaintiff Roy Autry proved that he was harassed because of his **race** by **Kevin Stock**?

Answer "Yes" or "No."

No

Question No. 2c:

Has Plaintiff Roy Autry proved that he was harassed because of his **national origin** by **Kevin Stock**?

Answer "Yes" or "No."

No

Question No. 3a:

Has Plaintiff Roy Autry proved that **Anthony Buttshaw** was one of his supervisors, as that term is defined on Page 9 of the Instructions to the Jury?

Answer "Yes" or "No."

Yes

Question No. 3b:

Has Plaintiff Roy Autry proved that he was harassed because of his **race** by **Anthony Buttshaw**?

Answer "Yes" or "No."

No

Question No. 3c:

Has Plaintiff Roy Autry proved that he was harassed because of his **national origin** by **Anthony Buttshaw**?

Answer "Yes" or "No."

No

Answer Questions 4 and 5 **only if one or more** of the following is true:

- You found that **Curtis Torres** was Plaintiff Roy Autry's supervisor (that is, you answered **yes** to Question 1a), **AND** you also found that Curtis Torres harassed Plaintiff Roy Autry (that is, you answered **yes** to Question 1b, Question 1c, **or both**);
- You found that **Kevin Stock** was Plaintiff Roy Autry's supervisor (that is, you answered **yes** to Question 2a), **AND** you also found that Kevin Stock harassed Plaintiff Roy Autry (that is, you answered **yes** to Question 2b, Question 2c, **or both**); or
- You found that **Anthony Buttshaw** was Plaintiff Roy Autry's supervisor (that is, you answered **yes** to Question 3a), **AND** you also found that Anthony Buttshaw harassed Plaintiff Roy Autry (that is, you answered **yes** to Question 3b, Question 3c, **or both**).

Otherwise, **do not answer Questions 4 or 5.**

Question No. 4:

Has Defendant Ahern Rentals, Inc. proved that it exercised reasonable care to prevent and promptly correct the harassing behavior?

Answer "Yes" or "No."

No

If you answered "Yes" to Question No. 4, then answer Question No. 5.

If you answered "No" to Question No. 4, then do **not** answer Question No. 5.

Question No. 5:

Has Defendant Ahern Rentals, Inc. proved that Plaintiff Roy Autry unreasonably failed to take advantage of or use available preventive or corrective opportunities provided by Defendant Ahern Rentals, Inc. or to avoid harm otherwise?

Answer "Yes" or "No."

Answer Questions 6-8 **only if** you answered **yes** to **one or more** of the following questions:

- Question 1b
- Question 1c
- Question 2b
- Question 2c
- Question 3b
- Question 3c

Question No. 6:

Did Defendant Ahern Rentals, Inc. know, or in the exercise of reasonable care should Defendant Ahern Rentals, Inc. have known, that Plaintiff Roy Autry was being harassed based on his race?

Answer "Yes" or "No."

No

Question No. 7:

Did Defendant Ahern Rentals, Inc. know, or in the exercise of reasonable care should Defendant Ahern Rentals, Inc. have known, that Plaintiff Roy Autry was being harassed based on his national origin?

Answer "Yes" or "No."

No

If you answered "Yes" to Question No. 6 **or** Question No. 7, then answer Question No. 8.

If you answered "No" to **both** Question No. 6 and Question No. 7, then do **not** answer Question No. 8.

Question No. 8:

Did Defendant Ahern Rentals, Inc. fail to take prompt remedial action?

Answer "Yes" or "No."

SIGNED on this 2 day of August 2022, in El Paso, Texas

A black rectangular box redacting the signature of the foreperson.

Foreperson